

REMARKS

Claims 1-20 were originally filed in the present application.

Claims 1-20 are pending in the present application.

Claims 1, 8, and 15 were rejected in the March 29, 2005 Office Action.

Claims 2-7, 9-14 and 16-20 were objected to in the March 29, 2005 Office Action.

No claims have been allowed.

Reconsideration of Claims 1-20 is respectfully requested.

In Section 1 of the March 29, 2005 Office Action, the Examiner rejected Claims 1, 8 and 15 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,795,432 to *Lee* (hereafter, simply "*Lee*"). In rejecting Claims 1, 8 and 15, the Examiner asserted, among other thing, that the *Lee* reference from column 5, line 36, to column 6, line 61, and from column 8, line 39, to column 9, line 7, discloses the limitations in Claim 1 regarding "a controller determining, for each of the plurality of paths, a likelihood of existing traffic blocking a desired data transfer from the input port to the output port on the respective path, wherein the controller selects one of the plurality of paths having a least likelihood of being blocked by the existing traffic for the desired data transfer". The Examiner further asserted that the same portions of the *Lee* reference also apply to similar limitations in Claims 8 and 15.

The Applicants respectfully disagree with the Examiner's assertions regarding Claims 1, 8 and 15 and direct the Examiner's attention to Claim 1, which contains the unique and non-obvious limitations emphasized below:

1. For use in a switch fabric, a routing mechanism for directing data transfers

through the switch fabric between an input port and an output port, wherein the switch fabric includes a plurality of paths from the input port to the output port, the routing mechanism comprising:

a controller determining, for each of the plurality of paths, a likelihood of existing traffic blocking a desired data transfer from the input port to the output port on the respective path,

wherein the controller selects one of the plurality of paths having a least likelihood of being blocked by the existing traffic for the desired data transfer. (emphasis added).

The Applicants respectfully submit that the above-emphasized limitations are not disclosed, suggested or even hinted at in the *Lee* reference.

The Applicant notes that the text of the *Lee* reference from column 5, line 36, to column 6, line 61, and from column 8, line 39, to column 9, line 7, do not even mention terms such as “probabilities” or “likelihood”. Additionally, the text of the *Lee* reference from column 5, line 36, to column 6, line 61, does not even mention “blocking”.

Regarding blocking, the text of the *Lee* reference from column 8, line 39, to column 9, line 7, relied upon by the Examiner states in its entirety:

Accordingly, in preferred embodiments of the present invention, in case that a path for the VC11 channel or the VC12 channel is allocated, a link that the VC11 level channel and VC12 level channel were already allocated is used when possible to increase an efficiency of channel usage. Using the method of channel allocation prevents most blocking when the VC3 path is set, but it does not fundamentally solve the problem of blocking. Blocking may be an unavoidable problem, because the VC3 level signal and the VC11 or VC12 path are processed together in the similar CLOS switch network. Thus, if such a problem occurs, it is typically solved by resetting a path for the VC11 or the VC12.

FIG. 14 is a flow chart that illustrates a preferred embodiment of a method for searching a composite path in the similar CLOS switching network according to the present invention. In the similar CLOS switching network adapted to the preferred embodiments according to the present invention, the switches are in a limited condition in that they must satisfy the non-blocking structure for all of the internal switching interface signal units (VC11, VC12 and VC3), for which an appropriate

state management and a process or algorithm for setting a path are necessary. The state management signifies management that checks whether any channel is in use or not by each switching interface signal unit, and a connection state.

The requirement for setting a path in the similar CLOS switching network may be defined as 'setting a path from an input channel to an output channel in a designated channel type', for which a path should be set between the stage 1 and the stage 2 and the stage 2 and the stage 3. At this time, whether a channel is in use or not between the two stages recognizes whether a corresponding channel is available for use, and a path determined through a path identifying process is managed according to a connection state of the channels forming the corresponding path.

The Applicants respectfully submit that the above-cited portions of the Lee reference make no reference to the Claim 1 limitation regarding a controller that determines "for each of the plurality of paths, a likelihood of existing traffic blocking a desired data transfer from the input port to the output port on the respective path". The cited text also make no reference to the Claim 1 limitation regarding a controller that "selects one of the plurality of paths having a least likelihood of being blocked by the existing traffic for the desired data transfer."

This being the case, the Applicants respectfully assert that Claim 1 is patentable over the *Lee* reference. Also, dependent Claims 2-7 depend from Claim 1 and contain all of the unique and non-obvious limitations recited in Claim 1. Thus, Claims 2-7 are patentable over the *Lee* reference.

Furthermore, independent Claims 8 and 15 recite limitations that are analogous to the unique and non-obvious limitations recited in Claim 1. Thus, independent Claims 8 and 15 are patentable over the *Lee* reference. Finally, dependent Claims 9-14, which depend from Claim 8, and dependent Claims 16-20, which depend from Claim 15, contain all of the unique and non-obvious limitations recited in Claim 8 and Claim 15, respectively. This being the case, Claims 9-14 and Claims 16-20 are patentable over the *Lee* reference.

SUMMARY

For the reasons given above, the Applicant respectfully requests reconsideration and allowance of pending claims and that this Application be passed to issue. If any outstanding issues remain, or if the Examiner has any further suggestions for expediting allowance of this Application, the Applicant respectfully invites the Examiner to contact the undersigned at the telephone number indicated below or at *jmockler@davismunck.com*.

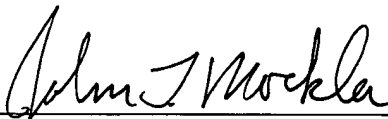
The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Deposit Account No. 50-0208.

Respectfully submitted,

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